

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

TIMOTHY ANDREW KRUEGER,  
an individual,

No. 2:19-cv-00058-SU

Plaintiff,

v.

OREGON DEPARTMENT OF  
CORRECTIONS, et al.,

ORDER

Defendants.

HERNANDEZ, District Judge:

Magistrate Judge Sullivan issued a Findings and Recommendation (#27) on August 15, 2019, in which she recommends that this Court grant Defendant Washburn's motion to dismiss with leave to amend. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's

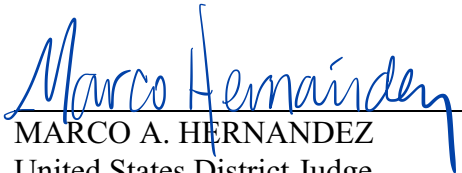
report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Sullivan's Findings & Recommendation [27]. Accordingly, Defendant Washburn's motion to dismiss [22] is granted with leave to amend in accordance with the pleading requirements as outlined in the Findings & Recommendation. Any amended complaint is due within fourteen (14) days of the date of this Order.

IT IS SO ORDERED.

DATED this 4 day of Oct, 2019.

  
MARCO A. HERNANDEZ  
United States District Judge